

The Federal Aid in Fish Restoration Act, as amended, referred to in text, is act Aug. 9, 1950, ch. 658, 64 Stat. 430, as amended, which is classified generally to chapter 10B (§777 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 777 of this title and Tables.

The Land and Water Conservation Fund Act of 1965, referred to in text, is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to part B (§460/-4 et seq.) of subchapter LXIX of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 460/-4 of this title and Tables.

The Commercial Fisheries Research and Development Act of 1964, referred to in text, is Pub. L. 88-309, May 20, 1964, 78 Stat. 197, as amended, which was classified generally to chapter 10D (§779 et seq.) of this title, was repealed by Pub. L. 99-659, title III, §309, Nov. 14, 1986, 100 Stat. 3736.

The Anadromous and Great Lakes Fisheries Conservation Act of October 30, 1965, referred to in text, probably means the Anadromous Fish Conservation Act, Pub. L. 89-304, Oct. 30, 1965, 79 Stat. 1125, as amended, which is classified generally to sections 757a to 757g of this title. For complete classification of this Act to the Code, see Short Title note set out under section 757a of this title and Tables.

#### **§ 1226. Federal agency authority to carry out Federal project within an estuary unaffected**

Nothing in this chapter shall be construed to affect the authority of any Federal agency to carry out any Federal project heretofore or hereafter authorized within an estuary.

(Pub. L. 90-454, §6, Aug. 3, 1968, 82 Stat. 628.)

#### **CHAPTER 27—NATIONAL TRAILS SYSTEM**

Sec.

- 1241. Congressional statement of policy and declaration of purpose.
  - (a) Considerations for determining establishment of trails.
  - (b) Initial components.
  - (c) Volunteer citizen involvement.
- 1242. National trails system.
  - (a) Composition: recreation trails; scenic trails; historic trails; connecting or side trails; uniform markers.
  - (b) Extended trails.
- 1243. National recreation trails; establishment and designation; prerequisites.
- 1244. National scenic and national historic trails.
  - (a) Establishment and designation; administration.
  - (b) Additional national scenic or national historic trails; feasibility studies; consultations; submission of studies to Congress; scope of studies; qualifications for national historic trail designation.
  - (c) Routes subject to consideration for designation as national scenic trails.
  - (d) Trail advisory councils; establishment and termination; term and compensation; membership; chairman.
  - (e) Comprehensive national scenic trail plan; consultation; submission to Congressional committees.
  - (f) Comprehensive national historic trail plan; consultation; submission to Congressional committees.
- 1245. Connecting or side trails; establishment, designation, and marking as components of national trails system; location.
- 1246. Administration and development of national trails system.

Sec.

- (a) Consultation of Secretary with other agencies; transfer of management responsibilities; selection of rights-of-way; criteria for selection; notice; impact upon established uses.
  - (b) Relocation of segment of national, scenic or historic, trail right-of-way; determination of necessity with official having jurisdiction; necessity for Act of Congress.
  - (c) Facilities on national, scenic or historic, trails; permissible activities; use of motorized vehicles; trail markers; establishment of uniform marker; placement of uniform markers; trail interpretation sites.
  - (d) Use and acquisition of lands within exterior boundaries of areas included within right-of-way.
  - (e) Right-of-way lands outside exterior boundaries of federally administered areas; cooperative agreements or acquisition; failure to agree or acquire; agreement or acquisition by Secretary concerned; right of first refusal for original owner upon disposal.
  - (f) Exchange of property within the right-of-way by Secretary of the Interior; property subject to exchange; equalization of value of property; exchange of national forest lands by Secretary of Agriculture; tracts lying outside trail acquisition area.
  - (g) Condemnation proceedings to acquire private lands; limitations; availability of funds for acquisition of lands or interests therein; acquisition of high potential, route segments or historic sites.
  - (h) Development and maintenance of national, scenic or historic, trails; cooperation with States over portions located outside of federally administered areas; cooperative agreements; participation of volunteers; reservation of right-of-way for trails in conveyances by Secretary of the Interior.
  - (i) Regulations; issuance; concurrence and consultation; revision; publication; violations; penalties; utilization of national park or national forest authorities.
  - (j) Types of trail use allowed.
  - (k) Donations or other conveyances of qualified real property interests.
1247. State and local area recreation and historic trails.
- (a) Secretary of the Interior to encourage States, political subdivisions, and private interests; financial assistance for State and local projects.
  - (b) Secretary of Housing and Urban Development to encourage metropolitan and other urban areas; administrative and financial assistance in connection with recreation and transportation planning; administration of urban open-space program.
  - (c) Secretary of Agriculture to encourage States, local agencies, and private interests.
  - (d) Interim use of railroad rights-of-way.
  - (e) Designation and marking of trails; approval of Secretary of the Interior.

- Sec.  
1248. Easements and rights-of-way.  
     (a) Authorization; conditions.  
     (b) Cooperation of Federal agencies with Secretary of the Interior and Secretary of Agriculture.  
     (c) Abandoned railroad grants; retention of rights.  
     (d) Location, incorporation, and management.  
     (e) Release and quitclaim; conditions; sale; proceeds.  
     (f) "Conservation system unit" and "public lands" defined.
1249. Authorization of appropriations.
1250. Volunteer trails assistance.  
     (a) Volunteer planning, development, maintenance, and management of trails.  
     (b) Scope of volunteer work.  
     (c) Use of Federal facilities, equipment, tools, and technical assistance.
1251. Definitions.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 460iii-5 of this title.

## § 1241. Congressional statement of policy and declaration of purpose

### (a) Considerations for determining establishment of trails

In order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation, trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within scenic areas and along historic travel routes of the Nation, which are often more remotely located.

### (b) Initial components

The purpose of this chapter is to provide the means for attaining these objectives by instituting a national system of recreation, scenic and historic trails, by designating the Appalachian Trail and the Pacific Crest Trail as the initial components of that system, and by prescribing the methods by which, and standards according to which, additional components may be added to the system.

### (c) Volunteer citizen involvement

The Congress recognizes the valuable contributions that volunteers and private, nonprofit trail groups have made to the development and maintenance of the Nation's trails. In recognition of these contributions, it is further the purpose of this chapter to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails.

(Pub. L. 90-543, §2, Oct. 2, 1968, 82 Stat. 919; Pub. L. 95-625, title V, §551(1)-(3), Nov. 10, 1978, 92 Stat. 3511; Pub. L. 98-11, title II, §202, Mar. 28, 1983, 97 Stat. 42.)

## AMENDMENTS

1983—Subsec. (b). Pub. L. 98-11, §202(1), substituted "The" for "the" before "purpose".

Subsec. (c). Pub. L. 98-11, §202(2), added subsec. (c).

1978—Subsec. (a). Pub. L. 95-625, §551(1), (2), inserted "the preservation of," and "and historic resources" after "promote" and "outdoor areas" and substituted "within scenic areas and along historic travel routes of the Nation, which are often more remotely located" for "within established scenic areas more remotely located".

Subsec. (b). Pub. L. 95-625, §551(3), substituted "scenic and historic" for "and scenic".

## SHORT TITLE OF 1999 AMENDMENT

Pub. L. 106-135, §1, Dec. 7, 1999, 113 Stat. 1685, provided that: "This Act [amending section 1244 of this title] may be cited as the 'Star-Spangled Banner National Historic Trail Study Act of 1999'."

## SHORT TITLE OF 1993 AMENDMENTS

Pub. L. 103-145, §1, Nov. 17, 1993, 107 Stat. 1496, provided that: "This Act [amending section 1244 of this title] may be cited as the 'El Camino Real Para Los Texas Study Act of 1993'."

Pub. L. 103-144, §1, Nov. 17, 1993, 107 Stat. 1494, provided that: "This Act [amending section 1244 of this title] may be cited as the 'El Camino Real de Tierra Adentro Study Act of 1993'."

## SHORT TITLE OF 1990 AMENDMENTS

Pub. L. 101-365, §1, Aug. 15, 1990, 104 Stat. 429, provided that: "This Act [amending sections 1244 and 1249 of this title] may be cited as the 'Juan Bautista de Anza National Historic Trail Act'."

Pub. L. 101-321, §1, July 3, 1990, 104 Stat. 293, provided that: "This Act [amending section 1244 of this title] may be cited as the 'Selma to Montgomery National Trail Study Act of 1989'."

## SHORT TITLE OF 1988 AMENDMENTS

Pub. L. 100-559, title II, §201, Oct. 28, 1988, 102 Stat. 2797, provided that: "This title [amending section 1244 of this title] may be cited as the 'Coronado National Trail Study Act of 1988'."

Pub. L. 100-470, §1, Oct. 4, 1988, 102 Stat. 2281, provided that: "This Act [amending sections 1244 and 1248 of this title and enacting provisions set out as notes under section 1248 of this title] may be cited as the 'National Trails System Improvements Act of 1988'."

## SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100-187, §1, Dec. 11, 1987, 101 Stat. 1287, provided that: "This Act [amending section 1244 of this title] may be cited as the 'De Soto National Trail Study Act of 1987'."

## SHORT TITLE OF 1983 AMENDMENT

Section 201 of title II of Pub. L. 98-11 provided that: "This title [enacting sections 1250 and 1251 of this title and amending this section and sections 1242 to 1247 and 1249 of this title] may be cited as the 'National Trails System Act Amendments of 1983'."

## SHORT TITLE

Section 1 of Pub. L. 90-543 provided that: "This Act [enacting this chapter] may be cited as the 'National Trails System Act'."

## § 1242. National trails system

### (a) Composition: recreation trails; scenic trails; historic trails; connecting or side trails; uniform markers

The national system of trails shall be composed of the following:

- (1) National recreation trails, established as provided in section 1243 of this title, which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.